

Notice of Allowability

Application No.

09/627,741

Examiner

Bradley Edelman

Applicant(s)

LE PENNEC ET AL.

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the RCE and amendment filed on November 22, 2004.
2. ☒ The allowed claim(s) is/are 1-11.
3. ☐ The drawings filed on _____ are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☒ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date 12/6/04.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 12/6/04.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

This action is in response to Applicant's request for continued examination filed on November 22, 2004. Claims 1-11 are presented for further examination.

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Steve Greenberg on December 6, 2004.

The application has been amended as follows:

IN THE CLAIMS:

a. In claim 1, on line 11, before the words "web page fields" delete the word "selected."

IN THE DRAWINGS:

The following changes to the drawings have been approved by the examiner and agreed upon by applicant:

In Figure 1, the box numbered 12 will be labeled with the words --WIRELESS GATEWAY--, the box numbered 16 will be labeled with the word --SERVER--, the box

numbered 18 will be labeled with the word --SERVER--, the device numbered 10 will be labeled with the word --PDA--, and the device numbered 22 will be labeled with the word --WORKSTATION--.

In order to avoid abandonment of the application, applicant must make these above agreed upon drawing changes.

Substitute Specification

2. The substitute specification filed November 22, 2004 has not been entered because it does not include a statement that the substitute specification includes no new matter as required by 37 CFR 1.125(b), and it further contains at least one instance of deleted subject matter that is not in proper form (see p. 14, line 3). Nonetheless, Examiner believes that the Office will be able to use the initial specification and the subsequent amendments without undue burden, and so submission of another substitute specification will not be necessary.

Allowable Subject Matter

3. Claims 1-11 are allowed.

The following is an examiner's statement of reasons for allowance:

Regarding claim 1, the prior art of record fails to disclose the claimed web portal system, as enabled by the specification, wherein a user selects information which determines for each of the web page fields accessed through the portal, whether data in

that field is to be retrieved in real-time or from a pre-stored update, and wherein the web page field is then displayed.

Claims 2-10 depend from claim 1 and are thus allowed as well.

Regarding claim 11, the prior art of record fails to disclose the claimed web portal information access method, as enabled by the specification, wherein different web page fields are selected for display in a web page, and including the steps of determining for each different selected web page whether an update is to occur in real time or in a background process, and then updating each different field according to the determination.

Note: the prior art of record is very similar to the claimed invention, but it differs in one important respect. The Sugiarto reference (U.S. Patent No. 6,278,449) and the Anupam reference ("Personalizing the Web Using Site Descriptions," IEEE Publication, 1999) both teach web portal systems allowing users to select specific fields for display in a web portal (see previous office actions discussing Sugiarto; see Anupam, pp. 4-6, especially Figs. 5 and 6). In addition, Anupam further teaches that in addition to a user selecting each individual field to display in the portal page, the user can also select a refresh rate for each individual field (caption to Fig. 5, "This form allows you to set up your personalized page... The frames are automatically refreshed according to the update frequency you specify"; wherein there is an input box allowing a user to select the number of minutes or hours for refreshing). However, Anupam does not specifically teach that the user can select *whether to refresh the selected fields in real-time versus from a pre-stored update*. Instead, Anupam only provides for the latter criteria of

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selecting a pre-stored update. For this reason, the combination of Sugiarto and Anupam does not teach all of the limitations of the claims, and thus the claims are allowable over the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bradley Edelman whose telephone number is 571-272-3953. The examiner can normally be reached from 9 a.m. to 5 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached at 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Bradley Edelman

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December 6, 2004